



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/804,913	03/19/2004	Steve Barhorst	22176.23	8366

29127 7590 06/21/2010

HOUSTON ELISEEVA  
420 BEDFORD ST  
SUITE 155  
LEXINGTON, MA 02420

EXAMINER
----------

ART UNIT	PAPER NUMBER
----------	--------------

DATE MAILED: 06/21/2010

Please find below and/or attached an Office communication concerning this application or proceeding.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

Address : COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10804913	3/19/04	BARHORST ET AL.	22176.23

HOUSTON ELISEEVA  
4 MILITIA DRIVE, SUITE 4  
LEXINGTON, MA 02421

**EXAMINER**

Kevin P. Kerns

ART UNIT	PAPER
----------	-------

1793	060710
------	--------

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

The Board of Patent Appeals and Interferences affirmed the rejection(s) against independent claim 1 (as well as dependent claims 2 and 3), but reversed all rejections against claims 37-41 dependent thereon. There are no allowed claims in the application. The independent claim 1 and dependent claims 2 and 3 (all of which were affirmed by the BPAI) are cancelled by the examiner in accordance with MPEP § 1214.06. The applicants are also advised to cancel the withdrawn (non-elected) claims 4-36, none of which were under appeal.

Applicant is given a ONE MONTH TIME PERIOD from the mailing date of this letter in which to present the dependent claim(s) in independent form to avoid ABANDONMENT of the application. NO EXTENSIONS OF TIME UNDER 37 CFR 1.136(a) WILL BE GRANTED. Prosecution is otherwise closed.

/Kevin P. Kerns/  
Primary Examiner, Art Unit 1793